

REMARKS

Upon entry of the present amendment, claims 1-6, 8-14 and 16-18 will remain pending in the above-identified application and stand ready for further action on the merits.

The amendments made herein to the claims do not incorporate new matter into the application as originally filed or present substantial new issues for the Examiner's consideration, which would preclude entry of the amendments at present.

In support of the above contention, it is noted that the amendment to claim 1 finds support in original claim 7, while the amendment to claim 9 finds support in original claim 15. Also, it is noted that the amendment of claims 1 and 9 to change the ratio "9/1 or less" to "7/3 or less" finds support at page 24, line 20 of the specification. Since the ratio "7/3 or less" is encompassed by the range of "9/1 or less" it follows that this amendment also fails to present new issues for the Examiner's consideration and has already been fully searched by the Examiner.

Accordingly, entry of the present amendment is respectfully requested.

Claim Rejections Under 35 USC § 102/103(a)

Claims 9-17 have been rejected under 35 USC § 102(b) as anticipated by or, in the alternative, under 35 USC § 103(a) as obvious over Atkinson et al. '466 (US 4,900,466). Further, claims

1-6, 8-14 and 16-18 have been rejected under 35 USC § 102(e) as anticipated by or, in the alternative, under 35 USC § 103(a) as obvious over Emery et al. '095 (US 6,191,095). Still further, claims 7 and 15 have been rejected under 35 USC § 103(a) as being unpatentable over Emery '095. Reconsideration and withdrawal of these rejections are respectfully requested based on the following considerations.

First, as indicated above, claim 1 has been amended to incorporate limitations from claim 7 and claim 9 has been incorporate limitations from claim 15. Also, each of claims 1 and 9 have been amended to recite a ratio of "7/3 or less".

Based on the above noted amendments, it is submitted that none of the cited art references is capable of either anticipating or rendering obvious the instant invention as claimed.

The USPTO refers to the molar ratio of STP (sodium tripolyphosphate) and sodium silicate in B1 builder granules of Emery as 7:3. However, since STP (MW 368) is 0.207 mole and sodium silicate (MW 212) is 0.05 mole, the correct ratio is 0.207:0.05, (i.e., 4.14:1). Accordingly, the present invention of claims 1 and 9 is fully and clearly distinguished from Emery by the instantly recited ratio of "7/3 or less".

The USPTO indicates that it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate polycarboxylate polymers in builder granules. However,

there is no guidance in the cited art to use two or more kinds of water-soluble substances at a specific molar ratio and as a result there is provided no motivation to arrive at the instant invention as claimed.

Also, Emery fails to disclose the effects exhibited by the given molar ratio, as noted at page 23, line 21 to page 24, line 21 of the instant specification, wherein it is shown that the growth of the hydration crystals by a single water-soluble substance can be preferably suppressed or delayed by the co-presence of two or more kinds of water-soluble substances.

Accordingly, based upon the above considerations, it is clear that the rejections under 35 USC § 102 and 35 USC § 103 over each of Atkinson and Emery have been successfully overcome. In this respect, none of the references, whether considered singularly and/or in combination, provide any teaching or motivation, which would allow one of ordinary skill in the art to arrive at the instant invention as claimed.

CONCLUSION

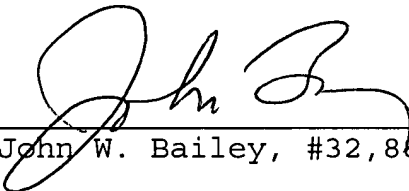
Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact John W. Bailey (Reg. No. 32,881) at the telephone number below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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By


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